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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Al Mitrevics

Art Unit: 3637

Application No. 09/468,501

Examiner: D. Dorsey

Filed: 12/21/99

For: GLAZING SYSTEM FOR HOLLOW
METAL WALLS

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated April 9, 2002, please enter the following amendments and consider the following remarks.

Pursuant to 35 USC 121, the Examiner has required election of a single disclosed invention for prosecution on the merits. The Examiner has taken the position that the application contains four patentably distinct inventions, i.e., Group A of Figures 14a, 14b and 14c (claims 7-17), Group B of Figures 15 and 15a (claims 8-11), Group C of Figures 16 and 16a (claims 1-6); and Group D of Figures 17 and 17a (claims 1-6).

The Examiner's restriction requirement is respectfully traversed. However, Group D, consisting of FIGs. 17 and 17a and claims 1-6 that can read on those Figures, is provisionally elected.

It is respectfully contended that the restriction requirement is improper because the Examiner has not shown that a search and examination of the entire application would cause any serious burden, as required by Section 803 of the MPEP. In fact, a serious burden would arise only if the application were restricted to one of the identified inventions. Filing additional applications to the non-elected inventions would necessarily burden the Patent and Trademark Office, since it must assume the additional and unnecessary labor involved in examining separate applications, (2) the public, since it will have to examine three